

Code  
of  
Food Service Sanitation  
Regulations



STATE OF UTAH — DEPARTMENT OF SOCIAL SERVICES

**DIVISION OF HEALTH**  
44 MEDICAL DRIVE  
SALT LAKE CITY, UTAH 84113

UTAH STATE DEPARTMENT OF SOCIAL SERVICES

DIVISION OF HEALTH

CODE OF FOOD SERVICE SANITATION REGULATIONS  
(Effective July 16, 1969)

Adopted By  
Utah State Board of Health July 16, 1969  
Under Authority of  
Section 26-15-4 (21)  
Utah Code Annotated, 1953 as amended

CERTIFIED OFFICIAL COPY  
UTAH STATE BOARD OF HEALTH

By   
Secretary

## FOREWORD

This Code of Food Service Sanitation Regulations consistsutes minimum sanitation requirements for food service to the public in Utah.

The complete code consists of three parts, as follows:

PART I - DEFINITIONS

PART II - FOOD SERVICE ESTABLISHMENTS

PART III - MACHINE VENDING OF FOOD AND BEVERAGES

The code was adopted by the State Board of Health on July 16, 1969, under authority of 26-15-4(21) Utah Code Annotated, 1953, as amended, following a public hearing held in Salt Lake City June 5, 1969. It replaces a previous code, quite similar in most respects, which has been in use since its adoption by the Board in 1955. The code has application throughout the state and should be adopted and enforced by local governments in Utah.

The "Food Service Sanitation Manual", publication No. 934, 1962, of the U.S. Public Health Service, has been used as a basis for Part II of the code and "The Vending of Food and Beverages", publication No. 546, 1965, of the U.S. Public Health Service served as the basis for Part III.

Another publication of the Utah State Division of Health entitled "Food Service Sanitation Manual", not to be confused with the U.S. Public Health Service publication referred to above, is recommended for use locally as a basis for training of food handlers as part of the overall food service sanitation program covered by this code. It is further recommended that local health departments inaugurate a food handlers permit system as described in the Manual and as covered under Appendix B herein. Copies of the Manual are available from the State Division of Health at nominal cost.

Appendix A attached hereto contains excerpts from Utah Code Annotated, 1953, as amended, relating to authority to control food service establishments at both State and local level. They are included here for convenience of reference.

Appendix B contains a recommended ordinance, by which local governments may adopt by reference this Code of Food Service Sanitation Regulations. It includes sections establishing a permit system applying to food service establishments and vending machine operations, as well as optional sections establishing an employee permit system.

Appendix C contains sketches illustrating some types of temporary food service establishment layouts which are considered acceptable. Other arrangements are possible provided they meet the requirements of Section II-G.

Appendix D contains suggestions on enforcement procedures.

Acknowledgement is made of assistance in code preparation provided by a committee appointed for the purpose by the Utah Association of Sanitarians. The committee included representatives of local health departments in Utah.

UTAH STATE DIVISION OF HEALTH

CODE OF FOOD SERVICE SANITATION REGULATIONS

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CODE OF FOOD SERVICE SANITATION REGULATIONS

PART I. DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this code:

1. Adulterated shall mean the condition of a food, (a) if it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health; (b) if it bears or contains any added poisonous or deleterious substance for which no safe tolerance has been established by regulation, or in excess of such tolerance if one has been established; (c) if it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for human consumption; (d) if it has been processed, prepared, packed, or held under insanitary conditions, whereby there is a reasonable probability that it has become contaminated with filth, or whereby it may have been rendered injurious to health; (e) if it is in whole or in part the product of a diseased animal or an animal which has died otherwise than by slaughter; or (f) if its container is composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

2. Approved, unless otherwise indicated, shall mean acceptable to the Director of Health and the local health officer, based on a determination of conformance with appropriate standards and good public health practice.

3. Closed shall mean fitted together snugly, leaving no openings large enough to permit the entrance of vermin.

4. Commissary shall mean catering establishment, restaurant, or any other place in which food, containers or supplies are kept, handled, prepared, packaged, or stored, and directly from which vending machines are serviced.

5. Corrosion-resistant material shall mean a material which maintains its original surface characteristics under prolonged influence of the food, cleaning compounds, and sanitizing solutions which may contact it.

6. Director of Health shall mean the Utah State Director of Health or his authorized representative.

7. Easily cleanable shall mean readily accessible and of such material and finish, and so fabricated that residue may be completely removed by normal cleaning methods.

8. Employee shall mean any person working in a food service establishment who transports food or food containers, who engages in food preparation or service, or who comes in contact with any food utensils or equipment, and shall include any operator or any person employed by one who handles any food to be dispensed through vending machines, or who comes into contact with food contact surfaces of containers, equipment, utensils, or packaging materials, used in connection with vending machine operations, or who otherwise services or maintains one or more such machines.

9. Equipment shall mean all stoves, ranges, hoods, meatblocks, tables, counter, refrigerators, sinks, dishwashing machines, steam tables, and similar items, other than utensils, used in the operation of a food service establishment.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART I (continued)

10. Food shall mean any raw, cooked, or processed edible substance, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption.

11. Food contact surfaces shall mean those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces with which food may come in contact and which drain back onto surfaces normally in contact with food.

12. Food processing establishment shall mean a commercial establishment in which food is processed or otherwise prepared and packaged for human consumption.

13. Food service establishment shall mean any fixed or mobile restaurant; coffee shop; cafeteria; short-order cafe; luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern; bar; cocktail lounge; nightclub; roadside stand; industrial feeding establishment; private, public, or non-profit organization or institution routinely serving food; catering kitchen; commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

14. Kitchenware shall mean all multi-use utensils other than tableware used in the storage, preparation, conveying, or serving of food.

15. Local health officer shall mean the health officer of any city, town or county, or combination thereof, or his authorized representative.

16. Machine location shall mean the room, enclosure, space or area where one or more vending machines are installed and operated.

17. Misbranded shall mean the presence of any written, printed, or graphic matter, upon or accompanying food or containers of food, which is false or misleading, or which violates any applicable state or local labeling requirements.

18. Operator shall mean any person who, by contract, agreement, or ownership, takes responsibility for furnishing, installing, servicing, operating, or maintaining one or more vending machines.

19. Perishable food shall mean any food of such type or in such condition as to be subject to spoilage.

20. Person includes bodies politic and corporate, partnerships, associations and companies.

21. Potentially hazardous food shall mean any perishable food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, or other ingredients capable of supporting rapid and progressive growth of infectious or toxigenic micro-organisms.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART I (continued)

22. Reconstituted, when referring to dried milk and milk products, shall mean milk or a milk product which results from the combination of dried milk or milk product constituents with potable water to re-create the original product.

23. Refuse shall mean any solid waste, including garbage and trash.

24. Safe temperatures, as applied to potentially hazardous food, shall mean temperatures of 45° F. or below, and 140° F. or above.

25. Sanitize shall mean effective bactericidal treatment of clean surfaces of equipment and utensils by a process which has been approved by the Director of Health as being effective in destroying micro-organisms, including pathogens.

26. Sealed shall mean free of cracks or other openings which permit the entry or passage of moisture.

27. Single service articles shall mean cups, containers, lids or closures; plates, knives, forks, spoons, stirrers, paddles; straws, place mats, napkins, doilies, wrapping materials; and all similar articles which are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic, or other readily destructible materials, and which are intended by the manufacturers and generally recognized by the public as for one usage only, then to be discarded.

28. Tableware shall mean all multi-use eating and drinking utensils, including flatware (knives, forks, and spoons).

29. Temporary food service establishment shall mean any food service establishment which operates at a fixed location for a temporary period of time, not to exceed 2 weeks, in connection with a fair, carnival, circus, public exhibition or similar transitory gathering.

30. Utensil shall mean any tableware or kitchenware used in the storage, preparation, conveying, or serving of food.

31. Vending machine shall mean any self-service device which, upon insertion of a coin, coins or tokens, or other similar procedure, dispenses servings of food, either in bulk or in packages, without the necessity of replenishment after each vending operation.

32. Wastewater means sewage, industrial waste or other liquid substances which might cause pollution of waters of the state. It includes the discharges from all plumbing facilities, such as kitchen, bathroom and laundry fixtures, either separately or in combination.

33. Wholesome shall mean in sound condition, clean, free from adulteration, and otherwise suitable for use as human food.

## CODE OF FOOD SERVICE SANITATION REGULATIONS

### PART II - FOOD SERVICE ESTABLISHMENTS

No person shall operate any food service establishment, temporary or otherwise, in violation of any of the following provisions of Part II of this code.

Before any food service establishment begins service to the public, the owner, operator or manager thereof shall notify the local health officer having jurisdiction of the planned operation, and shall arrange for said health officer to inspect the food service facilities to determine their compliance with Part II of this code.

#### SECTION A. DEFINITIONS

The definitions applying here will be found in Part I, beginning on page 4.

#### SECTION B. FOOD

1. Food Supplies. All food in food service establishments shall be from sources conforming to health standards required by State regulation and local ordinance, and shall be clean, wholesome, free from spoilage, free from adulteration and misbranding and safe for human consumption.

Samples of food and drink may be taken and examined by the Director of Health or local health officer as they deem necessary for the detection of unwholesomeness or adulteration. The Director of Health or local health officer may condemn and forbid the sale of, or cause to be removed or destroyed, any food or drink which they deem unwholesome or adulterated.

Only Grade A pasteurized fluid milk and fluid milk products shall be served.

Dried milk and milk products may be reconstituted in the establishment if used for cooking purposes only.

All milk and fluid milk products for drinking purposes shall be purchased and served in the original, individual container in which they were packaged at the milk plant, or shall be served from an approved bulk milk dispenser; provided that cream, whipped cream or half and half which is to be consumed on the premises may be served from the original container of not more than one-half gallon capacity or from a dispenser approved by the Director of Health for such service; and, for mixed drinks requiring less than one-half pint of milk, milk may be poured from one-quart or one-half gallon containers packaged at a milk plant.

Shell fish stock shall be identified with an official tag giving the name and certificate number of the original shell stock, shipper and the kind and quality of shell stock. Fresh and frozen shucked oysters, clams, and mussels, shall be packed in non-returnable containers identified with the name and address of the packer, repacker, or distributor, and the certificate number of the packer or repacker preceded by the abbreviated name of the state of origin.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION B (continued)

Shucked shell fish shall be kept in the original container until used.

Processed, hermetically-sealed food shall be obtained only from sources approved by the Utah State Department of Agriculture.

2. Food Protection. All food, while being stored, prepared, displayed, served, or sold at food service establishments, or during transportation between such establishments, shall be protected from contamination. All perishable food shall be stored at such temperatures as will protect it against spoilage. All potentially hazardous food shall be maintained at safe temperatures (45° F. or below, or 140° F. or above), except during necessary periods of preparation and service. Raw fruits and vegetables shall be washed before use. Stuffings, poultry, stuffed meats and poultry, and pork and pork products shall be thoroughly cooked before being served. Individual portions of food once served to the customer shall not be served again; provided that wrapped food which has not been unwrapped and which is wholesome may be re-served.

Conveniently located refrigeration facilities, hot food storage and display facilities, and effective insulated facilities shall be provided as needed to assure the maintenance of all food at required temperatures during storage, preparation, display, and service. Each cold storage facility used for the storage of perishable food in non-frozen state shall be provided with an indicating thermometer accurate to  $\pm 2^{\circ}$  F., located in the warmest part of the facility in which food is stored, and of such type and so situated that the thermometer can be easily and readily observed for reading.

All potentially hazardous food, when placed on display for service, shall be kept at 45° F. or below, or at 140° F. or above; provided that such food may be placed on display for service if pre-chilled to a temperature of 45° F. or below, and not allowed to exceed a temperature of 55° F. at any time during the display period.

Hollandaise and other sauces may be exempt from the temperature requirements of this sub-section if they are prepared from fresh ingredients and are discarded as waste within three hours after preparation. Where such sauces require eggs as an ingredient, only Grade A shell eggs shall be used.

Frozen food shall be kept at such temperatures as to remain frozen, except when being thawed for preparation or use. Potentially hazardous frozen food shall be thawed at refrigerator temperatures of 45° F. or below; or under cool, potable, running water (70° F. or below); or quick-thawed as part of the cooking process; or by any other method satisfactory to the local health officer.

Stuffings, poultry and stuffed meats and poultry, shall be heated\* throughout to a minimum temperature of 165° F. with no interruption of the initial cooking process.

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\*Depending upon the weight of the poultry, and the temperature at which cooked, a number of hours are required for the stuffing to reach a temperature, throughout, sufficiently high (165° F.) to kill pathogens which may be present. Therefore, it is recommended that the dressing be cooked in shallow pans separately from the carcass. It is further recommended that in cooking small poultry, the dressing be cooked separately from the carcass, or that it be placed in the carcass just prior to cooking.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION B (continued)

Pork and pork products which have not been specially treated to destroy trichinae shall be thoroughly cooked to heat all parts of the meat to at least 150° F.

Containers of food shall be stored above the floor on clean racks, dollies, or other clean surfaces, in such a manner as to be protected from splash and other contamination.

Wet storage of packaged food shall be prohibited.

Where unwrapped food is placed on display in any type of food service operation, including smorgasbords, buffets, and cafeterias, it shall be protected against contamination from customers and other sources by effective, easily cleanable, counter-protector devices, cabinets, display cases, containers, or other similar type of protective equipment. Self-service openings in counter guards shall be so designed and arranged as to protect food from manual contact by customers.

Tongs, forks, spoons, picks, spatulas, scoops, and other suitable utensils shall be provided and shall be used by employees to reduce manual contact with food to a minimum during preparation, display, or service. For self-service by customers, similar implements shall be provided.

Dispensing scoops, spoons, and dippers used in serving frozen desserts shall be stored between uses, either in an approved running-water dipper well, or in another manner approved by the Director of Health.

Sugar shall be provided only in closed dispensers or in individual packages.

During the transportation of food from a food service establishment, all food shall be in covered containers or completely wrapped or packaged so as to be protected from contamination.

Only such poisonous and toxic materials as are required to maintain sanitary conditions and for sanitization purposes may be used or stored in food service establishments. Poisonous and toxic materials shall be identified and shall be used only in such manner and under such conditions as will not contaminate food or constitute a hazard to employees or customers.

When not in use, poisonous and toxic materials shall be stored in cabinets which are used for no other purpose, or in a place which is outside the food-storage, food-preparation, cleaned-equipment, and utensil storage rooms. Bactericides and cleaning compounds shall not be stored in the same cabinet or area of the room with insecticides, rodenticides, or other poisonous materials.

SECTION C. PERSONNEL

1. Health and Disease Control. No person affected with Salmonellosis (including typhoid fever), Shigellosis or other diarrheal diseases, Streptococcal or Staphylococcal diseases, or tuberculosis shall be permitted to come in contact

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION C (continued)

with food in any form, or with equipment used in the processing, preparation or service of food.

If an employer knows or suspects that any employee has a past medical history of the above diseases or if the employee should develop symptoms of diarrhea, sore throat, or chronic cough, or has open sores or cloth bandages on the face or upper extremities, he must notify the local health officer. An employee must not be allowed to come in contact with food in any form or with equipment or utensils used to process or prepare food until the employee has provided evidence (including laboratory tests) and necessary physical examinations, satisfactory to the local health officer, that no communicable state exists from such disease, symptom or condition. It is the responsibility of the employee to advise the employer of the occurrence of the above diseases, symptoms or conditions, and every employee shall be advised of this responsibility upon his employment.

2. Cleanliness. All employees shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty. They shall wash their hands thoroughly in an approved, hand-washing facility before starting work, and as often as may be necessary to remove soil and contamination. No employee shall resume work after visiting the toilet room without first washing his hands.

Employees shall keep their fingernails clean and neatly trimmed.

Hair nets, headbands, caps, or other effective hair restraints, including spray nets, shall be used by employees engaged in the preparation and service of food to keep hair from food and food contact surfaces.

Employees shall not use tobacco in any form while engaged in food preparation or service, or while in equipment and utensil washing or food preparation areas.

SECTION D. FOOD EQUIPMENT AND UTENSILS

1. Sanitary Design, Construction, and Installation of Equipment and Utensils: All equipment and utensils shall be so designed and of such material and workmanship as to be smooth, easily cleanable, and durable, and shall be in good repair; and the food contact surfaces of such equipment and utensils shall, in addition, be easily accessible for cleaning, nontoxic, corrosion resistant, and relatively non-absorbent; provided that, when approved by the Director of Health, exceptions may be made to the above materials requirements for equipment such as cutting boards, blocks, and bakers' tables.

Equipment threads which routinely contact food shall be of a sanitary design, and no V-type threads shall be used in such a situation.

Lubricated bearings and gears of equipment shall be so constructed that lubricants cannot get into food or onto food contact surfaces.

All equipment shall be so installed and maintained as to facilitate the cleaning thereof, and of all adjacent areas.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION D (continued)

Equipment which is placed on tables or counters, unless readily movable, shall be sealed thereto or mounted on legs or feet at least 4 inches high, and shall be so installed as to facilitate the cleaning of the equipment and areas adjacent thereto.

Surfaces of equipment not intended for contact with food, but which are exposed to splash, food debris, or otherwise require frequent cleaning, shall be reasonably smooth, washable, free of unnecessary ledges, projections, or crevices, readily accessible for cleaning, and of such material and in such repair as to be readily maintained in a clean and sanitary condition.

Floor-mounted equipment, unless readily movable, shall be sealed to the floor, or shall be installed on raised platforms of concrete or other smooth masonry in such a manner as to prevent liquids or debris from seeping or settling underneath, between or behind such equipment in spaces which are not fully open for cleaning and inspection; or, such equipment shall be elevated at least 6 inches above the floor. The space between adjoining units, and between a unit and the adjacent wall, shall be closed unless exposed to seepage, in which event it shall be sealed; or, sufficient space shall be provided to facilitate easy cleaning between, behind, and beside all such equipment.

Aisles or working spaces between equipment, and between equipment and walls, shall be unobstructed and of sufficient width to permit employees to perform readily their duties without contamination of food or food contact surfaces by clothing or through personal contact.

Equipment in use at the time of adoption of these regulations which does not meet fully the above requirements may be continued in use if it is in good repair, capable of being maintained in a sanitary condition, and if the food contact surfaces are nontoxic.

Single-service articles shall be made from nontoxic materials.

2. Cleanliness of Equipment and Utensils. All eating and drinking utensils, food contact surfaces of equipment, and all food storage equipment shall be thoroughly cleaned and sanitized after each usage and used for no other purpose. Cooking surfaces of equipment shall be cleaned at least once a day.

Cloths used by waiters, chefs, and other personnel, shall be clean, and any such cloths used for wiping food contact surfaces shall be used for no other purpose.

Non-food-contact surfaces of equipment shall be cleaned as necessary to keep them in a clean and sanitary condition.

Prior to washing, all equipment and utensils shall be pre-flushed or pre-scraped, and, when necessary, pre-soaked to remove gross food particles and soil.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION D (continued)

Effective concentrations of a suitable detergent shall be used for both manual and mechanical dishwashing.

When manual dishwashing is employed, all eating and drinking utensils, and, where required, the food contact surfaces of all other equipment and utensils shall be thoroughly washed in a detergent solution which is kept reasonably clean, rinsed free of such solution and sanitized by immersion for at least one-half minute in clean, hot water at a minimum temperature of 170° F., by immersion for at least 1 minute in a solution\* containing a minimum of 50 ppm available chlorine at 75° F. or in a solution containing a minimum of 12.5 ppm available iodine with a maximum pH of 5.0 and a temperature not less than 75° F.

Other chemical sanitizing agents may be used as approved by the Director of Health.

Equipment too large to treat by the above methods may be treated with live steam in the case of equipment in which steam can be confined, or by rinsing with boiling water or by spraying or swabbing with an approved chemical sanitizing solution of at least double the concentration recommended for the immersion process.

A three-compartment sink shall be provided and used wherever washing and sanitization of equipment or utensils are conducted manually; provided that establishments where the only utensils to be washed are limited to spatulas, tongs, and similar devices, and when the only equipment to be cleaned is stationary and does not require disassembly for proper cleaning, a one-compartment sink may be approved by the Director of Health for this purpose. At least a two-compartment sink shall be provided and used for washing kitchenware and equipment which does not require sanitization. Single compartment utility sinks, such as cooks' and bakers' sinks, may be used for the rinsing of utensils.

Sinks used for manual washing and sanitizing operations shall be of adequate length, width, and depth to permit the complete immersion of the equipment and utensils, and each compartment of such sinks shall be supplied with hot and cold running water. Dish baskets, when used, shall be of such design as to permit complete immersion of the utensils and equipment components being sanitized therein.

When hot water is used as the sanitizing agent in manual operations, thermometers, accurate to  $\pm 2^{\circ}$  F., shall be provided convenient to the sink to permit frequent checks of the water temperature.

Dish tables and drainboards, of adequate size for proper handling of soiled utensils prior to washing and of cleaned utensils following rinsing or sanitization, shall be provided and shall be so located or constructed as not to interfere with the proper use of the dishwashing facilities; provided that drainboards shall not be required for cooks' and bakers' rinse sinks.

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\*It is recommended that sanitizing solutions be made up at twice the minimum strength required for the sanitizing operation.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION D (continued)

Sinks, dish tables, and drainboards shall be constructed of galvanized metal or better, suitably reinforced, of such thickness and design as to resist denting and buckling, and sloped so as to be self-draining.

Dishwashing machines shall be of such materials and so designed and constructed as to be easily cleanable, and shall be capable, when operated properly, of rendering all surfaces of equipment and utensils clean to sight and touch, and sanitized.

When spray-type dishwashing machines are used, the wash water shall be kept reasonably clean. Rinse water tanks shall be adequately protected against the entry of wash water.

Flow pressures in the water line as it enters the machine shall be between 15 and 25 pounds per square inch. Pressure at the rinse nozzles shall be not less than 10 pounds per square inch. A suitable gage cock shall be provided immediately upstream from the final rinse spray valve to permit checking of the flow pressure.

Wash water temperature shall be a minimum of 140° F. except that in a single tank conveyor machine, it shall be not less than 160° F. When hot water is used for sanitization, the final rinse water shall be at least 180° F. at the entrance of the manifold. When pumped rinse is provided, the water temperature shall be 170° F. or higher.

Approved chemicals may be used for sanitization if applied in effective concentration and for adequate periods of time to assure acceptable bactericidal treatment of the equipment and utensils.

Conveyors in dishwashing machines shall be accurately timed to assure proper exposure times in wash and rinse cycles.

An easily readable thermometer shall be provided in each tank of the dishwashing machine and at the rinse water manifold to accurately determine the temperatures of the water or solution therein.

When an immersion-type dishwashing machine is employed for equipment and utensil washing and sanitizing, the applicable requirements pertaining to manual dishwashing shall be met; provided that a two-compartment system shall be deemed adequate when the temperature of the wash water is maintained at or above 140° F. and hot water at a temperature of at least 170° F. is used as the sanitizing agent.

Any other type of machine, device, facility, or procedure may be approved by the Director of Health for cleaning or sanitizing equipment and utensils, if it can be readily established that such machine, device, facility, or procedure will routinely render equipment and utensils clean to sight and touch, and provide effective bactericidal treatment as demonstrated by an average plate count, per utensil surface examined, of not more than 100 colonies.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION D (continued)

After cleaning, and until use, all food contact surfaces of equipment and utensils shall be so stored and handled as to be protected from contamination.

Utensils shall be air dried before being stored, or shall be stored in a self-draining position on suitably located hooks or racks constructed of corrosion-resistant material. Wherever practicable, stored containers and utensils shall be covered or inverted. Facilities for the storage of flatware (silverware) shall be provided and shall be designed and maintained to present the handle to the employee or customer.

All single-service articles shall be stored, handled, and dispensed in a sanitary manner, and shall be used only once.

Food service establishments which do not have adequate and effective facilities for cleaning and sanitizing utensils shall use single-service articles.

PART II SECTION E. SANITARY FACILITIES AND CONTROLS

1. Water Supply. The water supply shall be adequate and of a safe, sanitary quality and shall be obtained from a municipal water system or other system meeting the requirements of "Rules and Regulations Relating to Public Water Supplies", as adopted by the Utah State Board of Health. Hot and cold running water, under pressure, shall be provided in all areas where food is prepared, or equipment, utensils, or containers are washed.

Water, if not piped into the establishment, shall be transported and stored in approved containers, and shall be handled and dispensed in a sanitary manner.

Ice used for any purpose shall be made from water which is of a safe and sanitary quality, and shall be manufactured, stored, transported, and handled in a sanitary manner.

If block ice is used, the outer surfaces shall first be thoroughly rinsed so as to remove any soil.

If ice crushers are used, they shall be maintained in a clean condition and shall be covered when not in use.

Approved containers and utensils shall be provided for transporting, storing, and serving ice in a sanitary manner. Ice buckets, other containers, and scoops, unless they are of the single-service type, shall be of a smooth, impervious material, and designed to facilitate cleaning. They shall be kept clean, and shall be stored and handled in a sanitary manner. Canvas containers shall not be used unless provided with a sanitary, single-service liner so as to completely protect the ice.

2. Wastewater Disposal. All wastewater shall be disposed of in a public sewerage system, or, in the absence thereof, in compliance with the Code of Waste Disposal Regulations of the State Division of Health.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION E (continued)

3. Plumbing. Plumbing shall be provided and installed in accordance with the provisions of the Utah Plumbing Code and local plumbing regulations.

Where permanent plumbing fixtures are not feasible, exceptions to plumbing fixture requirements can be made upon approval of the Director of Health and the local health officer.

4. Toilet Facilities. Each food service establishment shall be provided with adequate, conveniently-located toilet facilities for its employees. Toilet fixtures shall be of sanitary design and readily cleanable. Toilet facilities, including rooms and fixtures, shall be kept clean, in good repair, and free of objectionable odors.

Toilet rooms shall be completely enclosed, and shall have tight-fitting self-closing doors. Such doors shall not be left open except during cleaning or maintenance. If vestibules are provided, they shall be kept in a clean condition and in good repair.

Toilet tissue shall be provided, easily cleanable receptacles shall be provided for refuse, and such receptacles in toilet rooms for women shall be covered.

Toilet facilities shall be installed in accordance with the requirements of the Utah Plumbing Code and applicable local regulations, or in the absence thereof, as approved by the Director of Health.

Non-water-carried waste disposal facilities may be used only upon approval of the Director of Health and the local health officer.

When toilet facilities are provided for patrons, such facilities shall meet the requirements of this subsection.

5. Hand-washing Facilities. Each food service establishment shall be provided with adequate, conveniently located hand-washing facilities for its employees, including a lavatory or lavatories equipped with hot and cold or tempered\* running water, hand-cleansing soap or detergent, and approved sanitary towels or other approved hand-drying devices. Such facilities shall be kept clean and in good repair.

Lavatories shall be located within or immediately adjacent to all toilet rooms or vestibules. In all new establishments, and establishments which are extensively altered, lavatories shall also be located within the area where food is prepared.

Where hot and cold running water is provided, a mixing valve or combination faucet is recommended and shall be required in new installations. Steam mixing valves are prohibited. Foot or knee operated valves are recommended.

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\*Where tempered water is used, a temperature of 100° F. to 115° F. is recommended.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION E (continued)

6. Refuse Disposal. All refuse containing food wastes shall, prior to disposal, be kept in leakproof, non-absorbent containers, which shall be kept covered with tight-fitting lids or the equivalent when filled or stored, or not in continuous use; provided that such containers need not be covered when stored in a special vermin-proofed room or enclosure, or in a food-waste refrigerator. All other refuse shall be stored in containers, rooms, or areas in an approved manner.

The rooms, enclosures, areas, and containers used shall be adequate for the storage of all food waste and refuse accumulated on the premises. Storage rooms or enclosures shall be constructed of easily cleanable, washable materials and shall be vermin proofed. The floors, and the walls up to at least the level reached by splash or spray, shall be of relatively non-absorbent materials.

Refuse containers outside the establishment shall be stored either on a concrete slab, or on a rack which is at least 12 inches above the ground for a single bank of containers, or 18 inches above the ground for a multiple bank of containers.

Adequate cleaning facilities shall be provided, and each container, room, or area shall be thoroughly cleaned after the emptying or removal of refuse. Brushes shall be provided for washing garbage containers and shall be used for no other purpose.

Food-waste grinders, if used, shall be installed in compliance with the Utah Plumbing Code and applicable local requirements, and shall be of suitable construction.

All refuse shall be disposed of with sufficient frequency and in such a manner as to prevent a nuisance, and in accordance with applicable rules and regulations promulgated by the Director of Health or the appropriate local authority.

7. Vermin Control. Effective measures shall be taken to protect against the entrance into the establishment, and the breeding, harborage, or feeding on the premises, of vermin.

Unless flies and other flying insects are absent from the immediate vicinity of the establishment, all openings to the outer air shall be effectively protected against the entrance of such insects by self-closing doors, closed windows, screening, controlled air currents, or other effective means.

Screening material shall be not less than 16-mesh to the inch or equivalent.

All openings to the outside shall be effectively protected against the entrance of rodents.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - FOOD SERVICE ESTABLISHMENTS

SECTION F. OTHER FACILITIES AND OPERATIONS

1. Floors, Walls, and Ceilings. The floor surfaces in kitchens, in all other rooms and areas in which food is stored or prepared and in which utensils are washed, and in walk-in refrigerators, dressing or locker rooms, and toilet rooms, shall be of smooth, non-absorbent materials, and so constructed as to be easily cleanable; provided that the floors of non-refrigerated, dry-food storage areas need not be non-absorbent. All floors shall be kept clean and in good repair and the juncture between the floor and wall shall be closed. Sawdust or wood shavings shall not be used on the floors. Floor drains shall be provided in all rooms where floors are subjected to flooding-type cleaning or where normal operations release or discharge water or other liquid waste to the floor.

Carpeting may be used on the floors of interior dining areas.

All exterior areas where food is served shall be kept clean and properly drained, and surfaces in such areas shall be finished so as to facilitate maintenance and minimize dust.

Mats or duck boards, if used, shall be so constructed as to facilitate cleaning, and they shall be kept clean.

The walls and ceilings of all rooms shall be kept clean and in good repair. All walls of rooms or areas in which food is prepared, or utensils or hands are washed, shall be easily cleanable, smooth, and light-colored, and shall have washable surfaces up to the highest level reached by splash or spray.

Acoustical materials may be used on the ceiling, provided ventilation is adequate to minimize grease and moisture absorption.

Studs, joists, and rafters shall not be left exposed in food preparation or utensil washing areas or toilet rooms.

Light fixtures, decorative material, and similar equipment and material attached to walls or ceilings, shall be kept clean.

2. Lighting. All areas in which food is prepared or stored or utensils are washed, handwashing areas, dressing or locker rooms, toilet rooms, and refuse storage areas shall be well lighted. During all clean-up activities, adequate light shall be provided in the area being cleaned, and upon or around equipment being cleaned.

At least 20 foot-candles of light shall be required on all working surfaces, and at least 10 foot-candles on all other surfaces and equipment, in food preparation, utensil washing and hand washing areas, and toilet rooms. Sources of artificial light shall be provided and used to the extent necessary to provide the required amount of light on these surfaces when in use and when being cleaned.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION F (continued)

At least 5 foot-candles of light at a distance of 30 inches from the floor shall be required in all other areas, including dining areas during cleaning operations.

3. Ventilation. All rooms in which food is prepared or served or utensils are washed, dressing or locker rooms, toilet rooms, and refuse storage areas shall be well ventilated. Ventilation hoods and devices shall be designed to prevent grease or condensate from dripping into food or onto food preparation surfaces. Filters, where used, shall be readily removable for cleaning or replacement. Where intake air ducts are used, they shall be designed and maintained so as to prevent the entrance of dust, dirt, insects, or other contaminating materials. Ventilation systems shall comply with applicable State and local fire prevention requirements and shall, when vented to the outside air, discharge in such a manner as not to create a nuisance.

4. Dressing Rooms and Lockers. Adequate facilities shall be provided for the orderly storage of employees' clothing and personal belongings. Where employees routinely change clothes within the establishment, one or more dressing rooms or designated areas shall be provided for this purpose. Such designated areas shall be located outside of the food preparation, storage, and serving areas, and the utensil washing and storage areas; provided that, when approved by the local health officer, such an area may be located in a storage room where only completely packaged food is stored. Designated areas shall be equipped with adequate lockers, and lockers or other suitable facilities shall be provided in dressing rooms. Dressing rooms and lockers shall be kept clean.

5. Housekeeping. All parts of the establishment and its premises shall be kept neat, clean, and free of refuse. Cleaning operations shall be conducted in such a manner as to minimize contamination of food and food contact surfaces. Vacuum cleaning, wet cleaning, or other dustless methods of floor and wall cleaning shall be used; or dust-arresting sweeping compounds and pushbrooms shall be employed; and all such cleaning, except emergency floor cleaning, shall be done during those periods when the least amount of food is exposed, such as after closing or between meals.

None of the operations connected with a food service establishment shall be conducted in any room used as living or sleeping quarters.

Laundered cloths and napkins shall be stored in a clean place until used. Soiled linens, coats, and aprons shall be kept in suitable containers until removed for laundering.

No live birds or animals shall be allowed in any area used for the conduct of food service establishment operation; provided that guide dogs accompanying blind persons may be permitted in dining areas.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - FOOD SERVICE ESTABLISHMENTS

SECTION G. TEMPORARY FOOD SERVICE ESTABLISHMENTS

1. Unrestricted Establishments. When unrestricted food service is permitted, a temporary establishment shall comply with all provisions of these regulations, Section B through F, which are applicable to its operation. The Director of Health may augment such requirements when needed to assure the service of safe food. He may prohibit the sale of certain potentially hazardous food.

2. Restricted Establishments. When, in the opinion of the Director of Health, no imminent health hazard will result, temporary food service establishments which do not fully meet the requirements of Section B through F of these regulations, may be permitted to operate when food preparation and service are restricted and deviations from full compliance are covered by additional modified requirements.

The preparation and service of potentially hazardous food shall be prohibited. Hamburgers, frankfurters and similar food which requires only limited preparation, such as seasoning and cooking, shall be permitted. Potentially hazardous food may be sold if it is obtained in individual servings, stored in approved facilities which will maintain such food at safe temperatures, and is served directly in the individual, original container in which it was packaged at a commercial food establishment.

Ice which will be consumed, or which will come into contact with food, shall be obtained in approved single-service, closed containers and shall be held therein until used.

Wet storage of packaged food and beverage shall be prohibited, except that wet storage of pressurized containers of beverages may be permitted when the water in the storage unit contains at least 50 ppm of available chlorine and the water is changed frequently enough to keep both the water and container clean.

Grills, stoves, and work tables shall be effectively protected from contamination by customers or dust.

Equipment installation and arrangement shall permit convenient cleaning of the establishment.

An adequate supply of water shall be maintained for cleaning and hand-washing. Adequate water heating facilities shall be provided. Employee hand-washing facilities shall be provided, including an adequate supply of paper towels.

Liquid wastes shall be disposed of as required by the Code of Waste Disposal Regulations of the Utah State Division of Health.

Floors shall be constructed of tight wood, asphalt or other cleanable material. The local health officer may accept dirt or gravel-covered floors when properly graded to drain and covered with removable, cleanable, wooden platforms, or duckboards or other acceptable materials.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART II - SECTION G (continued)

All walls and ceiling shall be constructed to minimize the entrance of insects and dust. Acceptable materials of construction for ceilings and walls shall include wood and canvas, except that 16-mesh screening may be permitted for wall construction. When flies are prevalent, counter service openings shall be equipped with self-closing, fly-tight doors, or the openings shall be protected by effective fly repellent fans.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART III - FOOD AND BEVERAGE VENDING MACHINES

No person shall sell or offer to expose food for sale through any vending machine in violation of any of the following provisions of Part III of this code.

Before any vending machine begins service to the public, the owner or manager thereof shall notify the local health officer having jurisdiction of the planned operation.

SECTION A. DEFINITIONS

The definitions applying here will be found in Part I, beginning on page 4.

SECTION B. FOOD

1. Food, Consumer Containers. Food intended for sale through vending machines and condiments available at vending machine locations shall be obtained from sources complying with these regulations and with other applicable State and local laws and regulations.

Such food shall be wholesome, free from spoilage, and shall be processed, prepared, handled and stored in such a manner as to be protected against contamination and adulteration.

Fresh fruits which may be eaten raw without peeling may be dispensed unpackaged but must be thoroughly washed in potable water before being placed in the vending machine. Storage of cartoned, bottled, canned or packaged food by placing or submerging it in liquid is prohibited. Submerging such containers of food in ice is prohibited.

Potentially hazardous food offered for sale through vending machines shall be dispensed to the consumer in the individual original container or wrapper into which it was placed at the commissary or at the manufacturer's or processor's plant, or such product shall be dispensed into single-service containers from bulk containers which were filled at the commissary or at the manufacturer's or processor's plant.

In those vending machines which dispense potentially hazardous food from bulk, the bulk supplies of such food shall be transferred only to bulk vending machine containers and appurtenances which have been cleaned and sanitized.

All food contact surfaces of containers and equipment shall be protected from contamination. If condiments are provided for service in conjunction with food dispensed by a vending machine, they shall be packaged in individual portions in single-service containers or shall be dispensed from approved sanitary dispensers which are washed, sanitized and filled at the commissary. Relish bowls and similar non-self-closing condiment containers shall not be used.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART III - SECTION B (continued)

Potentially hazardous food within the vending machine shall be maintained at a temperature of 45° F. or below, or 140° F. or above, whichever is applicable; provided that exceptions may be made (a) for the actual time required to load or otherwise service the machine and for a maximum recovery period of 30 minutes, following completion of loading or servicing operation; and (b) in the case of hot food vending machines, for a maximum of 120 minutes to heat food through the 45° F. to 140° F. temperature zone. In hot food vending machines which are not equipped with refrigerated storage there shall be no time delay to preclude heat from being applied to potentially hazardous food immediately after it is loaded or placed in the machine. Potentially hazardous food once heated to, or held at, a temperature of 140° F. or above shall be maintained at such temperature until served or discarded.

Vending machines dispensing potentially hazardous food shall be provided with adequate refrigerating or heating units, or both, and thermostatic controls which insure the maintenance of applicable temperatures at all times. Such vending machines shall also have controls which prevent the machine from vending potentially hazardous food until serviced by the operator in the event of power failure or other condition which results in non-compliance with temperature requirements in the food storage compartment.

Hot vending machines designed to heat food through the 45° F. to 140° F. temperature range, shall also be equipped with automatic controls which render the machine incapable of vending potentially hazardous food until serviced by the operator in the event that heating through this temperature range is not accomplished in 120 minutes or less.

Potentially hazardous food which has failed to conform to the time-temperature requirements of this item shall be removed from the vending machine and shall be denatured or otherwise rendered unusable for human consumption.

Vending machines dispensing potentially hazardous food shall be provided with one or more thermometers which indicate, to an accuracy of  $\pm 2^{\circ}$  F., the air temperature of the warmest part of the refrigerated food storage compartment, or the coldest part of the heated food storage compartment, whichever is applicable.

Milk and fluid milk products offered for sale through vending machines shall be Grade A pasteurized and shall be dispensed only in individual, original containers or from bulk containers into which such product was placed at the milk plant.

Milk and fluid milk products used as an ingredient in hot liquid beverages dispensed from vending machines may be transferred to a multi-use machine canister at the machine location; provided that (a) the location offers adequate protection against dust, insects, and other contamination; (b) the milk or fluid milk product is transferred from a dairy-filled container of not to exceed one-half gallon capacity; (c) the entire contents of such dairy-filled container is used in the transfer; (d) unused portions

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART III - SECTION B (continued)

removed from the machine are discarded to waste; and (e) the milk or fluid milk product is poured only into an empty canister which has been effectively cleaned and sanitized at the commissary; and provided further that milk or fluid milk products shall not be used as an ingredient under the terms of this paragraph unless the temperature of the hot beverage at the point of mixing with the milk product is 160° F. or higher.

Vending machine canisters and appurtenances used for the transfer of such milk products shall be effectively cleaned and sanitized at approved, fixed facilities at the commissary by methods approved by the Director of Health. After sanitization, the canister and appurtenances shall be fully wrapped in a single-service bag or cover which shall not be opened until the canister unit is installed in the refrigerated compartment of the vending machine. Canisters and appurtenances shall be so designed and constructed that the handling of contact surfaces at the machine location is unnecessary; and, such surfaces shall not be handled during canister installations, tube insertion, or product transfer.

All parts of any bulk milk vending machine which come into direct contact with the milk or milk product shall be effectively cleaned and sanitized at the milk plant; provided that single-service dispensing tubes which receive sanitizing treatment at the fabricating plant and which are individually packaged in such manner as to preclude contamination, may be exempted from this provision. The can or other bulk milk container shall be filled only at the milk plant and shall be sealed in such manner as to make it impractical to withdraw any part of its contents or to introduce any substance without breaking the seal or seals. The delivery tube and any milk-contact parts of the dispensing device shall be attached at the milk plant, and shall be protected by a moisture-tight closure which shall not be removed until after the container is placed in the refrigerated compartment of the vending machine.

With the exception of food contact surfaces of bulk milk vending machines for which separate provisions for cleaning and sanitizing are specified in the above paragraph, all multi-use containers or parts of vending machines which come into direct contact with potentially hazardous food shall be removed from the machine daily and shall be thoroughly cleaned and effectively sanitized at the commissary or other approved facility; provided that the requirement for daily cleaning and sanitizing may be waived for those food contact surfaces which are maintained at all times at a temperature of 45° F. or below, or 140° F. or above, whichever is applicable, and an approved cleaning frequency is followed. Such parts shall, after sanitizing, be protected from contamination.

All parts of vending machines which come into direct contact with other than potentially hazardous food shall be thoroughly cleaned by approved methods. The frequency of such cleaning shall be established by the local health officer based upon the type of product being dispensed. A record of such cleaning operations shall be maintained by the operator in each machine or shall be made available at the time of inspection and shall be current for at least the past 30 days.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART III - SECTION B (continued)

All single-service articles shall be purchased in sanitary cartons or packages which protect the articles from contamination, shall be stored in a clean, dry place until used, and shall be handled in a sanitary manner. Such articles shall be stored in the original carton or package in which they were placed at the point of manufacture until introduced into the magazine or dispenser of the vending machine. Single-service articles stored within the vending machine shall be protected from manual contact, dust, insects, rodents, and other contamination.

SECTION C. PERSONNEL

1. Personnel - Cleanliness. Employees shall maintain a high degree of personal cleanliness and shall conform to hygienic practices while engaged in handling foods, or food contact surfaces of utensils or equipment.

Employees shall wash their hands immediately prior to engaging in any vending machine servicing operation which may bring them into contact with food, or with food contact surfaces or utensils, containers, or equipment. While engaged in such servicing operations, employees shall wear clean outer garments, shall conform to hygienic practices, and shall not use tobacco in any form.

2. Health and Disease Control. See Part II, Section C-1.

SECTION D. EQUIPMENT, OPERATION, MAINTENANCE

1. Machine Location. The selection of machine location shall be the responsibility of the owner and/or manager of the premises involved. The location shall be such as to minimize the potential for contamination of the food, shall be well lighted, easily cleanable, and shall be kept clean. Conveniently located hand washing facilities shall be available for use by employees servicing or loading bulk food machines.

2. Exterior Construction and Maintenance. The exterior construction of the vending machine shall be such as to facilitate cleaning and to minimize the entrance of insects and rodents, and the exterior of the machine shall be kept clean. Service connections to machines vending potentially hazardous food or food in bulk shall be such as to protect against unintentional or accidental interruption of service to the machine.

In all vending machines in which the condenser unit is an integral part of the machine, such unit when located below the food and container storage space shall be separated from such space by a dust-proof barrier, and when located above, shall be sealed from such space.

3. Interior Construction and Maintenance. All interior surfaces and component parts of the vending machine shall be so designed and constructed as to permit easy cleaning, and shall be kept clean. All food contact surfaces of the machine shall be of smooth, nontoxic, corrosion-resistant, and relatively non-absorbent material, and shall be capable of withstanding repeated cleaning and sanitizing by normal procedures. Such surfaces shall be protected against contamination.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART III - SECTION D (continued)

The openings into all non-pressurized containers used for the storage of vendable food, including water, shall be provided with covers which prevent contamination from reaching the interior of the containers. Such covers shall be designed to provide a flange which overlaps the opening, and shall be sloped to provide drainage from the cover wherever the collection of condensation, moisture, or splash is possible. Concave covers or cover areas are prohibited. Any port opening through the cover shall be flanged upward at least three-sixteenths inch, and shall be provided with an overlapping cover flanged downward. Condensation, drip, or dust deflecting aprons shall be provided on all piping, thermometers, equipment, rotary shafts, and other functional parts extending into the food container, unless a water-tight joint is provided. Such aprons shall be considered as satisfactory covers for those openings which are in continuous use. Gaskets, if used, shall be of a material which is non-toxic, relatively stable, and relatively non-absorbent, and shall have a smooth surface. All gasket retaining grooves shall be easily cleanable.

The delivery tube or chute and orifice of all bulk food and bulk beverage vending machines shall be protected from normal manual contact, dust, insects, rodents, and other contamination. The design shall be of such as to divert condensation or other moisture from the normal filling position of the container receiving the food or beverage. The vending stage of such machines shall be provided with a tight-fitting, self-closing door or cover which is kept shut, except when food is being removed.

The food storage compartment within vending machines dispensing packaged liquid food shall be so constructed as to be self-draining of the compartment. All such drains shall be easily cleanable.

4. Delivery of Food, Equipment and Supplies to Machine Location.

Food, food contact surfaces of containers, equipment and supplies and single-service containers shall be protected from contamination while in transit to machine location.

Potentially hazardous food, prior to being loaded in the delivery vehicle, while in transit to machine locations, and in storage on location shall be maintained at a temperature of 45° F. or below, or 140° F. or above, whichever is applicable.

SECTION E. SANITARY FACILITIES

1. Water Supply. Water used in vending machines shall be of a safe and sanitary quality and shall be obtained from a municipal water supply or from another source meeting requirements of "Rules and Regulations Relating to Public Water Supplies", as adopted by the Utah State Board of Health. Water used as a food ingredient shall be piped to the vending machine under pressure in accordance with requirements of the Utah Plumbing Code and applicable codes, or brought to the vending machine in portable containers or urns which have been filled in a sanitary manner directly from a supply outlet at the commissary or other approved location. Ingredient water shall not be transferred from one container to another at the machine location.

CODE OF FOOD SERVICE SANITATION REGULATIONS

PART III - SECTION E (continued)

Containers for the storage of ingredient water or ice, which are not a part of the closed water system, shall be designed and maintained as food contact surfaces.

Vending machines shall be so installed and operated as to prevent the production of toxic substances in the water.

2. Waste Disposal. All wastes shall be properly disposed of, and pending disposition, shall be kept in suitable containers so as to prevent creating a nuisance.

Self-closing, leak-proof, easily cleanable, plainly labeled and designated waste container or containers shall be provided in the vicinity of each machine or machines to receive used cups, cartons, wrappers, straws, closures, and other single-service items. After being emptied, each waste container shall be thoroughly cleaned. Such waste containers shall not be located within the vending machine; provided that an exception may be made for those machines dispensing only packaged food with crown closures; in which case, the closure receptacle may be located within the machine. Suitable racks or cases shall be provided for multi-use containers or bottles.

Containers shall be provided within all machines dispensing liquid food in bulk for the collection of drip, spillage, overflow, or other internal wastes. An automatic shutoff device shall be provided which will place the vending machine out of operation before such container overflows. Containers or surfaces on which such wastes may accumulate shall be readily removable for cleaning, shall be easily cleanable, and shall be corrosion-resistant. If liquid wastes from drip, spillage, or overflow, which originate within the machine are discharged into a sewerage system, the connection to the sewer shall be through an air gap.

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX A

EXCERPTS FROM UTAH CODE ANNOTATED, 1953, AS AMENDED  
HAVING RELATIONSHIP TO POWERS OF STATE AND LOCAL GOVERNMENT  
TO ADOPT AND ENFORCE REGULATIONS AND ORDINANCES COVERING  
FOOD SERVICE SANITATION

LOCAL BOARDS OF HEALTH

26-5-1. General powers and duties.-- Every local board of health, whether county or municipal, shall supervise all matters pertaining to the sanitary condition of its county, town or city, and shall have power and authority to order nuisances, or the cause of any special disease or mortality, to be abated or removed.

26-5-2. Rules and regulations.-- Such boards of health may make such rules and regulations, not contrary to law and not in conflict with rules and regulations of the state board of health, as may be deemed necessary for the preservation of the public health and the enforcement of the quarantine laws against any or all persons afflicted with or that have been exposed to any contagious or infectious diseases within their several jurisdictions.

26-5-4. Reports to state board of health.-- At such times as the state board may require local boards of health or health officers shall report to the secretary of the state board of health the sanitary conditions of the locality and the number of births and deaths and the causes of death as near as can be ascertained within their several jurisdictions during the preceding month. It shall be the duty of each local health officer to make a monthly report on or before the 5th day of each month to the state board of health of all cases of scarlet fever, smallpox, diphtheria, membranous croup, typhoid fever, whooping cough, measles, chicken pox, pneumonia, tuberculosis and any other disease declared by the state board of health to be communicable which have occurred within his jurisdiction during the previous month; and upon receipt of notification of the existence of any case of any of said diseases in any family, a member of which is in attendance upon any public or private school, he must at once report the existence of such disease to the principal of the school so attended, giving the name and address of the person so affected and the nature of the disease. If no case of any of the diseases mentioned in this section has occurred during the month, the fact shall be so reported to the state board of health in the same manner as hereinbefore provided. It shall be the duty of local boards of health to make an annual report to the state board of health.

26-5-5. Abatement of nuisance.-- Each local board of health shall cause every nuisance dangerous to health or human life to be abated. When complaint of such nuisance is made to it, it shall forthwith cause the matter to be investigated and shall determine whether or not the alleged nuisance is detrimental to the public health or the cause of any disease or mortality.

Whenever a local board of health shall determine that a nuisance detrimental to health exists it shall in writing notify the occupant of the premises where the same may be found or, if unoccupied, the owner or agent thereof of such finding and shall order the abatement or removal of such nuisance within two days. If such nuisance is not abated or removed pursuant to such order, the board may summarily proceed to abate or remove the same, or it may cause an action to be brought in the name of the state by the county attorney for the abatement of such nuisance.

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX A (continued)

26-5-6. Duties in cases of communicable diseases.-- It shall be the duty of each local board of health to carry out such rules and regulations as the state board of health may prescribe having for their object the prevention and restriction of communicable diseases. It shall be the duty of the local health authorities upon the receipt of notice of existing or suspected communicable disease to inspect the house or locality, and on discovering that such disease exists the local health officer or local board of health may isolate and quarantine the diseased person, and may also quarantine any other person exposed to such disease, and restrain them within their home or premises from intercourse with other persons, and prohibit ingress or egress to or from such premises whenever it is necessary for the prevention or restriction of such diseases.

26-5-7. Quarantine.-- Any local board of health may declare quarantine in its county, city or town, or any part thereof, against a contagious or infectious disease prevailing there or elsewhere, and against all persons and things likely to spread contagion or infection. Any such board shall have power and authority to enforce such quarantine until the same is raised by it, and may confine any person affected with or likely to spread contagion or infection to the house or premises in which he resides, or to a place to be provided by the board for the purpose.

26-5-8. Health in schools.-- The local boards of health shall have jurisdiction in all matters pertaining to the preservation of the health of those in attendance upon public and private schools, and it is hereby made the duty of each local board of health:

(1) To exclude from school any person, including teachers, suffering with any contagious or infectious disease, whether acute or chronic, or liable to convey such disease to those in attendance.

(2) To make regular inspections of all school buildings and premises as to their hygienic condition, and to report on forms furnished by the state board of health the result of such inspection to those having charge and control of such schools, with instructions as to the remedying of any conditions whereby the health of those in attendance may be impaired or life endangered. A copy of said report shall at the same time be sent to the state board of health.

26-5-9. Dereliction of duty by school authorities.-- In the event of failure or refusal of those having charge and control of such schools to carry out the instructions so given, the board of health shall cause such faulty conditions to be remedied at the proper cost and expense of those having charge and control of the school.

26-15-4. State department of health--Powers and duties.-- The state department of health shall have and exercise the following powers and duties in addition to all other powers and duties imposed on it by law:

\* \* \* \* \*

(21) a. To establish and enforce minimum sanitary standards for:

\* \* \* \* \*

(f) The operation and maintenance of orphanages; boarding homes; summer camps for children; lodging houses; hotels, tourist and trailer camps; service stations, restaurants and all other places where food is handled, sold or served to the public; public conveyances and stations; schools publicly or privately

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX A (continued)

owned and operated; factories; private sanatoria; barber shops; beauty shops; physicians' offices; dentists' offices; workshops; industrial, labor or construction camps, recreational resorts and camps; swimming pools; public baths and bathing beaches; state, county, or municipal institutions including hospitals and other buildings, centers and places used for public gatherings; and for the regulation of any other conditions and facilities in public buildings and grounds.

26-15-44. Full-time health departments--Powers and duties.-- A health department organized under sections 26-15-33 to 26-15-53 shall have and exercise, in addition to all other powers and duties imposed on it by law, the following powers and duties:

- (1) To protect and promote the health of the people.
- (2) To enforce state health laws, regulations and standards.
- (3) To investigate and control the causes of epidemic, infectious, communicable and other disease(s) affecting the public health.
- (4) To establish, maintain and enforce isolation and quarantine, and in pursuance thereof, and for this purpose only, to exercise such physical control over property and over the persons of the people as the department may find necessary for the protection of the public health.
- (5) To enforce rules, regulations and standards adopted by the council.
- (6) To administer all local ordinances, regulations and standards pertaining to public health.
- (7) To establish, maintain, or make available, chemical bacteriological and biological laboratories and to conduct such laboratory investigations and examinations as may be deemed necessary or proper for the protection of the public health.
- (8) To develop and carry out reasonable health programs, not inconsistent with law, that may be deemed necessary or desirable for the protection of the public health and the control of disease.
- (9) To close theatres, schools and other public places and to forbid gatherings of people when necessary to protect the public health.
- (10) To abate nuisances when necessary for the purpose of eliminating sources of filth and infectious and communicable diseases affecting the public health.
- (11) To make any necessary sanitary and health investigations and inspections on its own initiative, or in cooperation with the state department of health, as to any matters affecting the public health.
- (12) To cooperate with the state department of health in all matters pertaining to the public health and in the administration of state health laws.
- (13) If deemed desirable, to accept, use and administer all federal, state or private donations or grants of funds, property, services, or materials for public health purposes, and to make such agreements, not inconsistent with law, as may be required as a condition precedent to receiving such donations or grant.
- (14) To establish, maintain or participate in a merit system of personnel administration, if required as a condition precedent to receiving federal and state grants of funds, property, services or materials.
- (15) To provide, equip and maintain suitable offices and all necessary facilities for the proper administration and operation of the health department.
- (16) To exercise incidental powers necessary to carry out the provisions and purposes of sections 26-15-33 to 26-15-53.
- (17) To issue from time to time such orders as may be necessary to carry out the provisions and purposes of sections 26-15-33 to 26-15-53.

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX A (continued)

26-15-49. District attorney to bring civil or criminal actions--Employment of special counsel--Duties of county attorney.-- The district attorney of the judicial district in which a cause of action may arise, shall bring any action, civil or criminal, requested by a health department to abate a condition which exists in violation of or to restrain or enjoin any action which is in violation of, or to prosecute for the violation of or for the enforcement of, the public health laws and the standards, orders, rules and regulations of the state department of health, a county, city, city-county or district health department or of local ordinances, regulations, rules and standards pertaining to health and sanitary matters. If the district attorney fails to act, the department may employ special counsel to bring any such action. The county attorney of a county in which an action arises shall act as legal adviser to the health department and the health council and shall defend all actions and proceedings brought against the department, the council or the officers and employees thereof.

26-15-80. District attorney to bring civil or criminal actions--Duties of attorney general--Employment of special counsel.-- The attorney general shall be the legal adviser for the state department of health, and shall defend it in all actions and proceedings brought against it. The district attorney of the judicial district in which a cause of action may arise, shall bring any action, civil or criminal, requested by the director to abate a condition which exists in violation of, or to prosecute for the violation of or for the enforcement of, the public health laws or the standards, orders, rules and regulations of the department established by or issued under the provisions of this act. If the district attorney fails to act, the director may bring any such action and shall be represented by the attorney general or, with the approval of the board, by special counsel.

26-15-81. Hearings--Summary of proceedings--Findings of fact and conclusions of law--Final determinations--Judicial review.-- (1) Any person aggrieved by any action or inaction of the department shall be afforded an opportunity for a fair hearing upon request therefor in writing. The hearings herein provided may be conducted by the state board of health at a regular or special meeting, or the board may designate hearing officers, who shall have power and authority to conduct hearings in the name of the board at any time and place. Minutes or summary of the proceedings of any hearing shall be taken and filed with the board, together with findings of fact and conclusions of law made by the board. In any hearing a member of the board or hearing officer designated by it shall have power to administer oaths, examine witnesses, and issue in the name of the board notice of the hearings or subpoenas requiring the testimony of witnesses and the production of evidence relevant to any matter in the hearing.

(2) Judicial review of a final determination of the state board of health may be secured by any person adversely affected thereby by filing a petition in the district court within 30 days after receipt of notice of the board's final determination. The petition, which shall be served upon a member of the board, shall state the ground upon which review is sought. With its answer, the board shall certify and file with the court all documents and papers and a transcript of all testimony taken in the matter, together with its findings of fact and conclusions of law. The appellant and the board shall in all cases be deemed to be original parties to the appeal.

26-15-82. Violations of public health laws--Misdemeanors--Civil actions.-- (1) It shall be unlawful for any person, association, or corporation, and the officers thereof:

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX A (continued)

- a. To willfully violate, disobey or disregard the provisions of the public health laws or the terms of any lawful notice, order, standard, rule or regulation issued pursuant thereto; or
- b. To fail to make or file reports required by law or rule of the state board of health relating to the existence of disease or other facts and statistics relating to the public health; or
- c. Any person who willfully makes or alters any certificate or record or certification therefrom provided for in this act, except on accordance with the provisions of this act, or who shall willfully furnish false or fraudulent information affecting any certificate or record required by this act, shall be subject to a fine of not more than \$1,000, or be imprisoned not exceeding 6 months, or both fined and imprisoned.
- d. Any person who knowingly transports or accepts for transport, interts, or otherwise disposes of a dead human body, including a dead human fetus or fetal tissues, without an accompanying permit issued in accordance with the provisions of this act, shall be fined not to exceed \$500.
- e. To willfully fail to remove from private property under his control at his own expense, within 48 hours after being ordered so to do by the health authorities, any nuisance, source of filth, or cause of sickness within the jurisdiction and control of the state department of health, whether such person, association or corporation shall be the owner, tenant, or occupant of such property; provided, however, when any such condition is due to an act of God, it shall be removed at public expense; or
- f. To pay, give, present, or otherwise occupy convey to any officer or employee of the state department of health any gift, remuneration or other consideration, directly or indirectly, which such officer or employee is forbidden to receive by the provision of this act.

(2) It shall be unlawful for any officer or employee of the state department of health or member of the state board of health:

- a. To accept any gift, remuneration or other consideration, directly or indirectly, for an incorrect or improper performance of the duties imposed upon him by or in behalf of such health department or by the provisions of this act.
- b. To perform any work, labor, or services other than the duties assigned to him on behalf of the department during the hours such officer, or employee is regularly employed by the department, or to perform his duties as an officer or employee of the department under any condition or arrangements that involves a violation of this or any other law of the state of Utah.

(3) Any person, association, or corporation, or the officers thereof, who shall violate any provision of this act or rules or regulations promulgated under the act upon conviction, shall be fined not to exceed one thousand dollars (\$1,000.00) or be imprisoned for not to exceed one year, or be both fined and imprisoned, and in addition to such fine and imprisonment shall be liable for any expense incurred by health authorities in removing any nuisance, source of filth, or cause of sickness. Conviction under the penalty provisions of this act or any other public health law shall not relieve any person from any civil action in damages that may exist for an injury resulting from any violation of the public health laws.

26-15-84. Right of visitation.-- Authorized representatives of the department of health shall at all times have right of proper entry upon any and all parts of the premises of any place in which such entry is necessary in order to carry out the provisions of this act, or the rules, regulations and standards provided under authority of this act. This section does not apply to private dwellings.

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX A (continued)

POWERS OF CITIES, TOWNS AND COUNTIES (In General)

Constitution of Utah, Article XI, Section 5 - Municipal corporation --  
Powers included. -----

Each city forming its charter under this section shall have, and is hereby granted, the authority to exercise all powers relating to municipal affairs, and to adopt and enforce within its limits, local police, sanitary and similar regulations not in conflict with the general law, and no enumeration of powers in this constitution or any law shall be deemed to limit or restrict the general grant of authority hereby conferred; but this grant of authority shall not include the power to regulate public utilities, not municipally owned, if any such regulation of public utilities is provided for by general law, nor be deemed to limit or restrict the power of the legislature in matters relating to State affairs, to enact general laws applicable alike to all cities of the State. -----

POWERS OF CITIES

10-7-3. Local boards of health--Number of members--Executive officer.-- It shall be the duty of the board of trustees, board of commissioners or city council of every incorporated town or city to establish by ordinance a board of health for such town or city, to consist of three or more persons, one of whom when practicable shall be a duly licensed physician, who shall be the executive officer of the board and be known as the health officer.

10-8-39. License of certain businesses.-- They may license, tax and regulate hawking and peddling, pawnbrokers and loan agencies, employment agencies, auctioneers and auction houses, music halls, theaters, theatrical and other exhibitions, shows and amusements, the business conducted by ticket scalpers, distilleries and breweries, brokers, and keepers of public scales; stages and buses, sight-seeing and touring cars or vehicles, cabs and taxicabs, and solicitors therefor; bath-houses, swimming pools, skating rinks; smelters, crushers, sampling works and mills; hotels, and other public places, boardinghouses, restaurants, eating houses, lodgings, laundries, barbershops and beauty shops; hackmen, draymen, and drivers of stages, buses, sight-seeing and touring cars, cabs and taxicabs and other public conveyances, porters, expressmen and draymen and all others pursuing like occupations, and prescribe their compensation; may license, tax and regulate secondhand and junk stores and forbid the owners or persons in charge of such stores from purchasing or receiving any articles whatsoever from minors without the written consent of their guardians or parents; may license, tax and regulate storage houses and warehouses and require bond to the city for the benefit of bailors therein; may license, tax and regulate the business conducted by merchants, wholesalers and retailers, shopkeepers and storekeepers, automobile garages, service and filling stations; butchers, bakeries, laundries, druggists, photographers, assayers, confectioners, billboards, billposting and the distribution or display of advertising matter.

10-8-61. Regulations to prevent contagious diseases--Quarantine--Garbage Disposal.-- They may make regulations to secure the general health of the city, prevent the introduction of contagious, infectious or malignant diseases into the city, and make quarantine laws and enforce the same within the corporate limits and within twelve miles thereof. They may create a board of health and

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX A (continued)

prescribe the powers and duties of the same. They shall not, however, by any ordinance, contract rule or regulation, prevent or seek to prevent any person from transporting through the streets or public thoroughfares garbage, kitchen refuse or the by-products of the business of such person or from selling or otherwise disposing of the same, except under such uniform and reasonable regulations as the board of commissioners or city council may by ordinance prescribe for the removal, hauling and disposal of the same, and they shall not grant to any person the exclusive right to collect or transport through the streets or public thoroughfares any garbage, kitchen refuse or by-products, but they may prescribe, by ordinance, that any garbage, kitchen refuse or by-product which may be deemed deleterious to the public health may be taken by the city and burned or otherwise destroyed by it.

10-8-84. Ordinances-Punishment-- They may pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by this chapter, and such as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort and convenience of the city and the inhabitants thereof, and for the protection of property therein; and may enforce obedience to such ordinances with such fines or penalties as they may deem proper; provided, that the punishment of any offense shall be by fine in any sum less than \$300 or by imprisonment not to exceed six months, or by both such fine and imprisonment.

10-13-2. Health-Prevention of disease-Abatement of nuisances-- They may make regulations to secure the general health of the town and prevent the introduction of contagious, infectious or malignant diseases therein, and may make quarantine laws and enforce the same within the corporate limits and within one mile thereof. They may prevent, abate and remove nuisances, and adopt such other measures for the preservation of the public health as they may deem proper.

10-13-6. License of specified businesses-- They may license, tax, regulate, suppress and prohibit billiards, pool bagatelle, pigeonhole, and any other table or implement kept or used for similar purposes; license and regulate hotel and tavern keepers, eating houses, restaurants, theaters, picture shows, merchants, grocers, peddlers, butchers, slaughterers, druggists, apothecaries and photographers, and any business within the town; may prohibit the manufacturing, selling, giving away or disposition in any manner of any intoxicating liquor contrary to law, or the maintaining of places where such liquors are being kept for such purpose, or the obtaining of such liquors by fraud from any practicing physician or druggist, or in any manner aiding in the selling, giving away, manufacturing, keeping, distributing or disposition of such intoxicating liquor contrary to law.

10-13-7. Ordinances-Penalties for violation-- They may provide for and enforce obedience to all ordinances or regulations adopted or passed pursuant to the authority in section 10-13-6 granted, by fixing such penalties as local conditions may to such town board seem to require; provided, that such penalties shall be within the limitations set forth in section 10-13-23.

10-13-23. Ordinances-Punishment for violation-- To enforce obedience to the ordinances of the town the board of trustees may ordain and provide such fines, forfeitures and penalties as it may deem proper; provided, that the fine or penalty for any offense shall be less than \$100, and the imprisonment

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX A (continued)

shall not exceed three months. All expenses incurred in prosecutions for the recovery of any fine, forfeiture or penalty shall be paid by the corporation. In case any person is committed to the county or municipal jail or other place of incarceration as punishment or in default of the payment of a fine, or fine and costs, he shall be required to work for the town at such labor as his strength will permit not exceeding eight hours in each working day. And a judgment that the defendant pay a fine, or a fine and costs, may also direct that he be imprisoned until the amount thereof is satisfied, specifying the extent of imprisonment, which cannot exceed one day for each \$2 of such amount. The expense of boarding prisoners shall be paid by the corporation. The board of trustees may erect a jail for the town, and persons committed for violation of town ordinances may be imprisoned therein.

POWERS OF COUNTIES

17-5-35. Police, building and sanitary regulations-Power to make.-- They may make and enforce within the limits of the county, outside the limits of incorporated cities and towns, all such local, police, building and sanitary regulations as are not in conflict with general laws.

17-5-49. Provision for general health.-- They may make such provision for the preservation of health in the county, or in any precinct or district therein or any portion thereof (except municipal corporations), as they may deem necessary, and provide for paying the expenses thereof.

17-5-70. Sanitary districts-Health officer.-- The board shall divide the county, outside of the limits of incorporated cities and towns, into sanitary districts, and shall appoint a health officer for each district, who shall be, when practicable, a physician. No member of the board of county commissioners shall be eligible to appointment as a health officer. Such district health officers together with the county commissioners shall constitute the county board of health.

17-5-72. County board of health-Duties.-- The county board of health shall have general supervision of all matters pertaining to sanitary conditions in the county. It shall have power in time of epidemic to locate and establish pest-houses, with the approval of the state board of health, and to do and perform such other acts as the health of the people of the district may require. All expenses necessarily incurred in the carrying out of the provisions of this section must be provided for by the board of county commissioners.

17-5-77. Ordinances-Power to enact-Penalty for violation.-- The board of county commissioners may pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by this title, and such as are necessary and proper to provide for the safety, and preserve the health, promote the prosperity, improve the morals, peace and good order, comfort and convenience of the county and the inhabitants thereof, and the protection of property therein; and may enforce obedience to such ordinances and such fines or penalties as the board may deem proper; provided, that the punishment of any offense shall be by fine in any sum less than \$300 or by imprisonment not to exceed six months, or by both such fine and imprisonment. The board of county commissioners may pass ordinances to control air pollution.

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX B

SUGGESTED ORDINANCE FOR ADOPTION OF CODE BY REFERENCE AND ESTABLISHING  
PERMIT SYSTEMS FOR FOOD SERVICE ESTABLISHMENTS AND EMPLOYEES

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING A CODE OF FOOD SERVICE SANITATION REGULATIONS

FOR \_\_\_\_\_, UTAH.  
(City) (Town) (County)

BE IT ORDAINED BY \_\_\_\_\_  
(City Council) (Board of Trustees) (County Commission)

of \_\_\_\_\_, UTAH:  
(City) (Town) (County)

Section 1. Purpose of Ordinance. The purpose of this ordinance is to  
adopt a code relating to food service sanitation within the limits of

\_\_\_\_\_ of \_\_\_\_\_ and to provide a method  
(City) (Town) (County) (Name)

of administering the same.

Section 2. Adoption of Food Service Sanitation Code. That certain code  
establishing regulations for the control of sanitary conditions in food service  
establishments, entitled "Code of Food Service Sanitation Regulations", Parts I  
and II, adopted by the Utah State Board of Health \_\_\_\_\_, 1968,  
and published by the Utah State Division of Health as a code in book form is  
hereby approved and adopted as the Code of Food Service Sanitation Regulations  
of \_\_\_\_\_, Utah and by reference made a part of this

(City) (Town) (County)  
ordinance to the same effect and extent as though said code were copied herein  
in full. Three copies of such code shall be filed for use and examination by  
the public in the office of the clerk of \_\_\_\_\_.  
(City) (Town) (County)

Section 3. "Local Health Officer" Redefined. Section A, relating to  
definition of terms, is amended to redefine "Local health officer" as the health  
officer designated by the governing body of \_\_\_\_\_,  
(City) (Town) (County)  
or his authorized representative, hereinafter referred to as "Health Officer".

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX B (continued)

**Section 4. Operation Permits.** No person shall operate any food service establishment or a food or beverage vending machine within \_\_\_\_\_, (City) (Town) (County) or its police jurisdiction, who does not possess a valid permit issued to him by the Health Officer. Such operation permits shall not be transferable from one person to another person or place. A valid permit shall be posted in every food service establishment. Violations of the provisions of this ordinance shall constitute grounds for suspension or revocation of such permit.

Permits for temporary food service establishments shall be issued for a period of time not to exceed \_\_\_\_\_ days.

**Section 5. Operation Permit Fees.** A fee for each operation permit shall be paid to the Health Officer or \_\_\_\_\_ clerk in such amount as (City) (Town) (County) shall be established from time to time by resolution duly enacted by the

\_\_\_\_\_ (City Council) (Board of Trustees) (County Commission).

**Section 6. Inspections.** The Health Officer shall perform the functions of food service establishment inspection necessary for the enforcement of this ordinance, and shall for this purpose be permitted to enter, at any reasonable time, any food-service establishment within his jurisdiction, and to examine records of the establishment as required for such enforcement.

**Section 7. Plan Review.** When a food service establishment is hereafter constructed or extensively remodeled, or when an existing structure is converted for use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or alteration, showing layout, arrangement, and construction materials of work areas, and the location, size, and type of fixed equipment and facilities, shall be submitted to the Health Officer for approval before such work is begun.

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX B (continued)

\*Section 8. Employee Permits. In addition to the permit requirement of Section 4 of this ordinance, it shall be the duty of the owner or manager of any food-service establishment to require all employees to furnish and place on file with said owner or manager a valid food service employee's permit as prescribed by the Health Officer. Such permit shall be kept on file and available for inspection.

\*Section 9. Employee Permit Requirements. The Health Officer shall, upon receipt of proper application by any person, specify the requirements to be met in obtaining a food service employee's permit, and upon receipt of evidence that such requirements have been met, shall issue said permit, subject to the conditions specified herein.

\*Section 10. Examination for Employee Permit. The Health Officer shall issue food service employee's permits only to those persons who, after making proper application, successfully pass a written examination based on the requirements of the Code of Food Service Sanitation Regulations adopted herein and on information contained in the Food Service Sanitation manual published by the Utah State Division of Health. The Health Officer may prescribe such other requirements as he deems necessary.

\*Section 11. Expiration of Employee Permits. All food service employees' permits shall expire \_\_\_\_\_ (year(s) from date of issuance, and must be renewed prior to expiration date by proper application to the Health Officer. Permits may be renewed upon completion of requirements specified for issuance of a new permit, or any lesser requirements as specified by the Health Officer.

\*Section 12. Revocation of Employee Permits. Any food service employee's permit may be revoked by the Health Officer upon receipt of evidence that permittee has repeatedly violated accepted procedures and practices covering processing, preparation, storage or service of food offered for public consumption, or that permittee has falsified information required for issuance of the permit.

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX B (continued)

\*Section 13. Reciprocity. Valid food service employee permits issued by any other local health authority in Utah may be accepted by the Health Officer at the discretion of the latter with the understanding that said acceptance may be withdrawn for reasons stated in Section 12 (above).

\*Section 14. Review. Any food service employee whose permit has been revoked by the Health Officer shall be granted a review of findings incident to such revocation upon proper application to the Health Officer within ten days of said revocation.

Section 15. Extraterritorial Jurisdiction. Food from food service establishments outside the jurisdiction of the Health Officer may be sold within \_\_\_\_\_ if such food service establishments conform  
(City) (Town) (County)

to the provisions of this ordinance or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the Health Officer may accept reports from responsible authorities in other jurisdictions where such food service establishments are located.

Section 16. Penalties. Any person who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by \_\_\_\_\_. In addition thereto, such person may be enjoined from continuing such violations. Each day upon which such a violation occurs shall constitute a separate violation.

Section 17. Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 18. Emergency. In the opinion of the \_\_\_\_\_  
(City Council) (Board  
of Trustees) (County Commission) it is necessary to the best health and  
safety of the inhabitants of \_\_\_\_\_ that this ordi-  
(City) (Town) (County)  
nance become effective immediately.

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX B (continued)

Section 19. This ordinance shall become effective upon its first posting.

ORDAINED BY THE

(City Council) (Board of Trustees) (County Commission)

of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 196\_\_\_\_.

(Mayor) (Town President) (Chairman, County Commission)

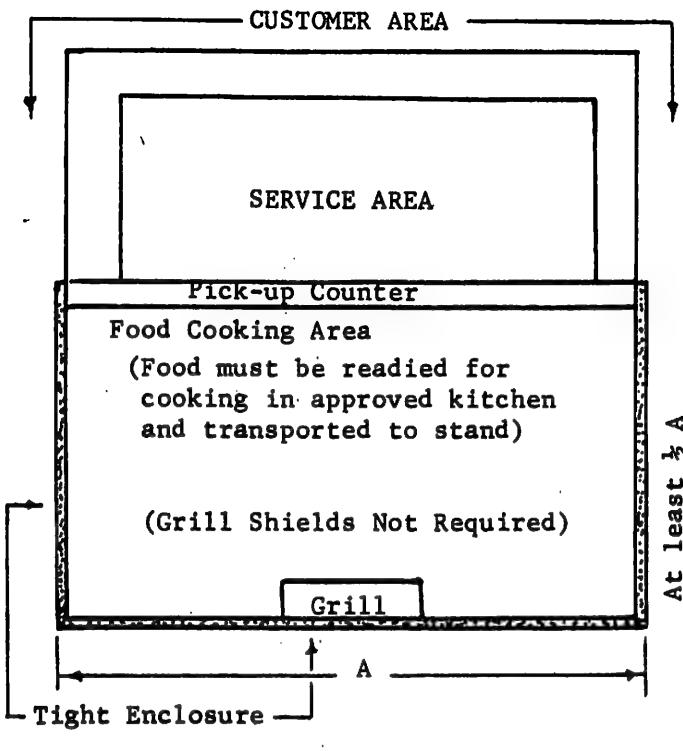
ATTEST:

(City Recorder) (Town Clerk) (County Clerk)

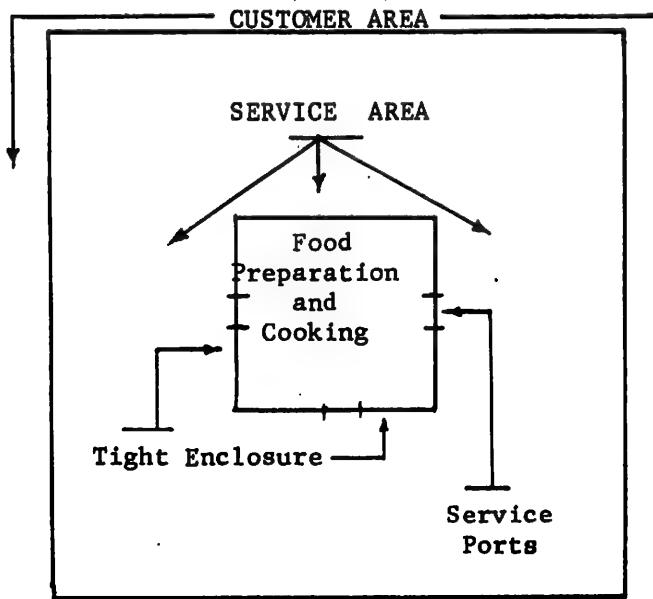
Date of First Posting:

NOTE: Those local jurisdictions not having the capability or not desiring to issue employee permits should delete sections marked with an asterisk (\*) and re-number subsequent sections accordingly.

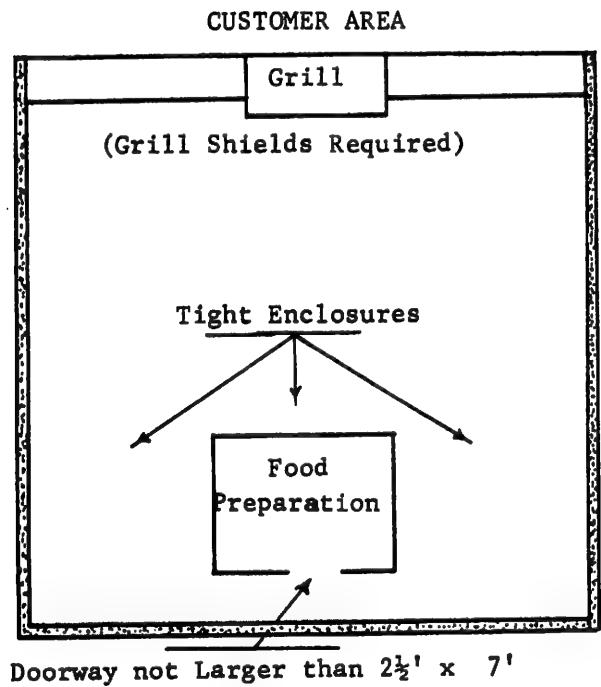
CODE OF FOOD SERVICE SANITATION REGULATIONS  
APPENDIX C



Note: These sketches are intended only as examples of layouts which conform to the requirements of Section II G. Consult health department personnel for other interpretations



SUGGESTED  
TEMPORARY FOOD SERVICE ESTABLISHMENT  
LAYOUTS



ALL STANDS TO BE PROVIDED  
WITH ROOF OVER ENTIRE AREA

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX D

ISSUANCE AND SERVICE OF NOTICES

The following modification of Section H of the U. S. Public Health Service Food Service Sanitation Manual is presented here as a guide to enforcement procedure.

c. Issuance of Notices. Whenever the health authority makes an inspection of a food service establishment and discovers that any of the requirements of Sections B through G of Part II of this code have been violated, he shall notify the permit holder or operator of such violations by means of an inspection report form or other written notice. In such notification, the health authority shall:

- (1) Set forth the specific violations found, together with the demerit score of the establishment, and he may also:
- (2) Establish a specific and reasonable period of time for the correction of the violations found, in accordance with the following provisions:
  - (a) When the demerit score of the establishment is 20 or less, all violations of 2- or 4- demerit points must be corrected by the time of the next routine inspection; or
  - (b) When the demerit score of the establishment is more than 20 but not more than 40, all items of 2- or 4- demerit points must be corrected within a period of time not to exceed 30 days; or
  - (c) When one or more 6- demerit point items are in violation, regardless of demerit score, such items must be corrected within a period of time not to exceed 10 days.
  - (d) When the demerit score of the establishment is more than 40, the permit is immediately suspended.
  - (e) In the case of temporary food service establishments, violations must be corrected within a specified period of time not to exceed 24 hours. Failure to comply with such notice shall result in immediate suspension of the permit.
- (3) State that failure to comply with any notice issued in accordance with the provisions of this ordinance may result in immediate suspension of the permit.

CODE OF FOOD SERVICE SANITATION REGULATIONS

APPENDIX D (continued)

(4) State that an opportunity for appeal from any notice or inspection findings will be provided if a written request for a hearing is filed with the local health officer within the period of time established in the notice for correction.

d. Service of Notices. Notices provided for under this section shall be deemed to have been properly served when the original of the inspection report form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by registered or certified mail, return receipt requested, to the last-known address of the permit holder. A copy of such notice shall be filed with the records of the local health officer.

*County*  
ORDINANCE NO.

AN ORDINANCE ADOPTING A CODE OF FOOD SERVICE SANITATION REGULATIONS FOR  
WASATCH COUNTY, STATE OF UTAH.

BE IT ORDAINED BY the County Commission of Wasatch County, Utah:

Section 1. Purpose of Ordinance. The purpose of this Ordinance is to adopt a code relating to food service sanitation within the limits of Wasatch County, State of Utah, and to provide a method of administering the same.

Section 2. Adoption of Food Service Sanitation Code. That certain code establishing regulations for the control of sanitary conditions in food service establishments, entitled "Code of Food Service Sanitation Regulations," Parts I and II, adopted by the Utah State Board of Health July 16, 1969, and published by the Utah State Division of Health as a code in book form is hereby approved and adopted as the Code of Food Services Sanitation Regulations of Wasatch County, Utah, and by reference made a part of this Ordinance to the same effect and extent as though said code were copied herein in full. Three copies of such code shall be filed for use and examination by the public in the office of the clerk of Wasatch County.

Section 3. "Local Health Officer" Redefined. Section A, relating to definition of terms, is amended to redefine "local health officer" as the health officer designated by the governing body of Wasatch County, or his authorized representative, hereinafter referred to as "health officer."

Section 4. Operation Permits. No person shall operate any food service establishment or a food or beverage vending machine within Wasatch County or its police jurisdiction, who does not possess a valid permit issued to him by the health officer. Such operation permits shall not be transferable from one person to another person or place. A valid permit shall be posted in every food service establishment. Violations of the provisions of this Ordinance shall constitute grounds for suspension or revocation of such permit.

Permits for temporary food service establishments shall be issued for a period of time not to exceed \_\_\_\_\_ days.

Section 5. Operation Permit Fees. A fee for each operation permit shall be paid to the health officer or Wasatch County Clerk in such amount as shall be established from time to time by resolution duly enacted by the Wasatch County Commission.

Section 6. Inspections. The health officer shall perform the functions of food service establishment inspection necessary for the enforcement of this Ordinance, and shall for this purpose be permitted to enter, at any reasonable

time, any food service establishment within his jurisdiction, and to examine records of the establishment as required for such enforcement.

Section 7. Plan Review. When a food service establishment is hereafter constructed or extensively remodeled, or when an existing structure is converted for use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or alteration, showing layout, arrangement, and construction materials of work areas, and the location, size, and type of fixed equipment and facilities, shall be submitted to the health officer for approval before such work is begun.

Section 8. Employee Permits. In addition to the permit requirement of Section 4 of this Ordinance, it shall be the duty of the owner or manager of any food service establishment to require all employees to furnish and place on file with said owner or manager a valid food service employee's permit as prescribed by the health officer. Such permit shall be kept on file and available for inspection.

Section 9. Employee Permit Requirements. The health officer shall, upon receipt of proper application by any person, specify the requirements to be met in obtaining a food service employee's permit, and upon receipt of evidence that such requirements have been met, shall issue said permit, subject to the conditions specified herein.

Section 10. Examination for Employee Permit. The health officer shall issue food service employee's permits only to those persons who, after making proper application, successfully pass a written examination based on the requirements of the Code of Food Service Sanitation Regulations adopted herein and on information contained in the Food Service Sanitation manual published by the Utah State Division of Health. The health officer may prescribe such other requirements as he deems necessary.

Section 11. Expiration of Employee Permits. All food service employees' permits shall expire \_\_\_\_\_ year(s) from date of issuance, and must be renewed prior to expiration date by proper application to the health officer. Permits may be renewed upon completion of requirements specified for issuance of a new permit, or any lesser requirements as specified by the health officer.

Section 12. Revocation of Employee Permits. Any food service employee's permit may be revoked by the health officer upon receipt of evidence that permittee has repeatedly violated accepted procedures and practices covering processing, preparation, storage, or service of food offered for public consumption, or that permittee has falsified information required for issuance of the permit.

Section 13. Reciprocity. Valid food service employee permits issued by any other local health authority in Utah may be accepted by the health officer at the discretion of the latter with the understanding that said acceptance may be withdrawn for reasons stated in Section 12 above.

Section 14. Review. Any food service employee whose permit has been revoked by the health officer shall be granted a review of findings incident to such

revocation upon proper application to the health officer within ten days of said revocation.

Section 15. Extraterritorial Jurisdiction. Food from food service establishments outside the jurisdiction of the health officer may be sold within Wasatch County if such food service establishments conform to the provisions of this Ordinance or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the health officer may accept reports from responsible authorities in other jurisdictions where such food service establishments are located.

Section 16. Penalties. Any person who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by fine not to exceed \$299.00 or by imprisonment not to exceed six months in the County jail, or by both such fine and imprisonment. In addition thereto, such person may be enjoined from continuing such violations. Each day upon which such a violation occurs shall constitute a separate violation.

Section 17. Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 18. Emergency. In the opinion of the Wasatch County Commission it is necessary to the best health and safety of the inhabitants of Wasatch County that this Ordinance become effective immediately.

Section 19. This Ordinance shall become effective upon its first publication.

ORDAINED BY THE County Commission of Wasatch County this \_\_\_\_\_ day of \_\_\_\_\_, 1975.

ATTEST:

Date of First Publication:

This will include operation permit & enforcement